

Founded in 1852
by Sidney Davy Miller

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August 31, 2009

Michael J. Davis
Georgia-Pacific, LLC
133 Peachtree Street
P.O. Box 105605
Atlanta, GA 30348-5605

Re: Willow Boulevard Landfill Parcel

Dear Mr. Davis:

This letter will confirm that we have found a deed which grants title to Georgia-Pacific for the Willow Boulevard Landfill Parcel. The relevant chain of title can be summarized as follows:

1. On January 23, 1930, recorded at Liber 271, Page 548, Kalamazoo County Records, Kalamazoo Paper Company deeded a peninsula in the Kalamazoo River (what has become the Willow Boulevard Landfill Parcel) to the State Highway Commissioner of the State of Michigan. This possibly was done so that the State of Michigan would have control of the parcel while it was constructing King Highway (M-96) and while the Kalamazoo River was being rechannelled.

2. On December 19, 1955, the State Highway Commissioner of the State of Michigan conveyed the same parcel back to Kalamazoo Paper Company, recorded at Liber 706, Page 559, Kalamazoo County Records. Attached is a map from Pat McGuire which supports this legal description.

3. On November 19, 1987, Kalamazoo Paper Company was merged into Georgia-Pacific Corporation, a copy of which was recorded in real estate records, at Liber 1377, Page 0810, Kalamazoo County Records.

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

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August 31, 2009

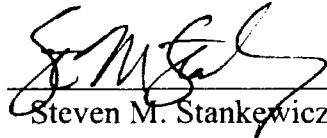
4. The ownership of the real estate by Georgia-Pacific Corporation was confirmed by an Affidavit recorded August 11, 1988, at Liber 1377, Page 0806, which includes the Willow Boulevard Landfill Parcel as Parcel C.

This letter does not constitute a title opinion, but is a summary of those deeds which we have reviewed as provided to us by various title companies in Kalamazoo County. If you would like a policy of title insurance on this parcel, please let us know.

Very truly yours,

Miller, Canfield, Paddock and Stone, P.L.C.

By:



Steven M. Stankewicz

SMS/caw

For and in consideration of the sum of Five Dollars Dollars to us in hand paid by the State Highway Commissioner of the State of Michigan, we Kalamazoo Paper Company

do hereby release and convey to the people of the State of Michigan, all our rights, title and fee in and to

the following described parcels of land, to wit: Commencing at a point in the East line of Section 23, T. 2 S. R. 11 W. thirteen hundred thirty four and fifteen hundredths (1334.15) feet North of the East $\frac{1}{2}$ post thereof, and running thence North $85^{\circ} 50\frac{1}{2}'$ West parallel to and one hundred (100.0) feet Northerly from the centerline of a proposed highway as staked by the Michigan State Highway Engineer a distance of seventy seven and seventy six hundredths (77.76) feet for the place of beginning of the land thereafter described and continuing thence North $85^{\circ} 50\frac{1}{2}'$ West parallel to said centerline four hundred fifty five and eighty one hundredths (455.81) feet to the Westerly bank of the Kalamazoo River; thence Southeasterly, Northeasterly and Northwesterly, upstream along the bank of said river, to the place of beginning. The above described parcel contains, eleven and six hundred thirteen thousandths (11.613) acres of land.

As a further consideration for this release it is understood and agreed that all existing buildings and structures other than fences may remain where now standing until required to be moved on account of road improvement, at which time they will be moved a reasonable distance outside of the highway limits without expense to the abutting property owner and left in as good condition, including foundations, as previous to moving.

This release is executed for the sole and only purpose of conveying to the said State of Michigan a right of way over the above described lands for highway purposes and to permit the altering, widening and improving of the existing highway on and to the parcels of land above described, said road being commonly designated and referred to as State Trunk Line Road No. 12. The grantor covenants and agrees for himself, his heirs, executors, administrators, successors and assigns, that no bill board, sign board or advertising sign other than those advertising articles sold on the premises, shall be erected or maintained in or upon the remaining lands and premises now owned by the grantor immediately adjoining the lands herein conveyed, within a distance of three hundred feet, measured at right angles from the boundary of the lands above conveyed. This covenant is hereby declared to be a perpetual covenant and shall be construed as a real covenant attached to and running with the land.

This conveyance includes a release of any and all claims to damages arising from or incidental to the altering, widening and improving of said road and the location thereof across the parcel of land hereby granted.

VERBAL AGREEMENTS WILL NOT BE CONSIDERED

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 23rd

day of January, A. D., 19 30

In presence of Geo. J. Jubb Kalamazoo Paper Company (L. S.)
Carl W. Cooper Fred M. Dodge (S.)
Alfred E. Curtenius (S.)

Recorded 21st day of April A. D. 19 30
3-07 o'clock P. M.
John Harrison (L. S.)
Register of Deeds

State of Michigan }
County of Kalamazoo }

On this 23rd day of January, A. D. 19 30 before me the undersigned, a Notary Public in and for said County, personally appeared Fred M. Dodge, President and Alfred E. Curtenius, Secretary of the Kalamazoo Paper Company

to me known to be persons who executed the foregoing release and acknowledged the same to be their own free act and deed.

Notary Public Carl W. Cooper County, Michigan.
Acting in Kalamazoo County, Michigan.
My Commission Expires Jan 19-1932

RECEIVED
JAN 24 1930
DIVISION ENGINEERING
STATE HIGHWAY DEPT.
LANSING, MICH.

This Indenture, Made the 19th day of December

in the year of our Lord one thousand nine hundred fifty-five

BETWEEN Charles M. Ziegler

as State Highway Commissioner of the State of

Michigan, party of the first part, and Kalamazoo Paper Company, Kalamazoo, Michigan

partY of the second part

Witnesseth, That the said party of the first part, for and in consideration, of the sum of ONE AND NO/100 (\$1.00) DOLLAR

to him in hand paid by the said partY of the second part, the receipt of which is hereby confessed and acknowledged, does by these presents, grant bargain, sell remise, release and forever QUITCLAIM successors unto the said partY of the second part, and to his heirs and assigns. Forever, All certain piece or parcel of land described as

All that part of: Commencing at a point in the East line of Section 23, T2S, R11W, thirteen hundred thirty four and fifteen hundredths (1334.15) feet North of the East $\frac{1}{4}$ post thereof, and running thence North 85 deg. 50 $\frac{1}{2}$ ' West parallel to and one hundred (100.00) feet furtherly from the centerline of a proposed highway as staked by the Michigan State Highway Engineer a distance of seventy seven and seventy six hundredths (77.76) feet for the place of beginning of the land thereafter described and continuing thence North 85 deg. 50 $\frac{1}{2}$ ' West parallel to said centerline four hundred fifty five and eighty one hundredths (455.81) feet to the Easterly bank of the Kalamazoo River; thence Southeasterly, Northeasterly and Northwestealy, upstream along the bank of said river, to the place of beginning. The above described parcel contains eleven and six hundred thirteen thousandths (11.613) acres of land. This parcel lies South of a line 100 feet South of and parallel to centerline of US-12.

STATE OF MICHIGAN
COUNTY OF KALAMAZOO
RECORDED

JAN 10 1955 PM 1:01

Liber 706 Page 559

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UNITED STATES OF AMERICA

137760810



Michigan Department of Commerce

Lansing, Michigan

This is to Certify That the Annexed Copy of

the 48 page merger document for GEORGIA-PACIFIC CORPORATION

James J. [unclear]

STATE OF MICHIGAN
DEPT. OF COMMERCE
RECORDS SECTION
AUG 11 8 10 AM '88

has been compared by me with the record on file in this Department and that the same is a true copy thereof, and the whole of such record.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 19th day of November, 19 87

D. J. [unclear] Director

137770811

STATE OF GEORGIA

Office of Secretary of State

I, Ben W. Fournier, Jr., Secretary of State of the State of Georgia, do hereby certify that "Georgia-Pacific Corporation", a corporation of the State of Georgia, and "The Kalamazoo Paper Company", a corporation of the State of Michigan, were on the 20th day of October, 1952, duly merged under the laws of the State of Georgia by the Supreme Court of Richmond County into "Georgia-Pacific Corporation", its surviving corporation, in accordance with the certified copy hereto attached and also a certified copy of the Agreement of Merger, has been duly filed in the office of the Secretary of State and the fees therefor paid, as provided by law.

In Testimony Whereof, I have hereunto set my hand and official seal of office, at the Capitol, in the City of Atlanta, this 20th day of October, in the year of our Lord One Thousand Nine Hundred and Fifty-Two and of the Independence of the United States of America the One Hundred and Ninety-Fifth.

Ben W. Fournier, Jr.
Secretary of State, Ex-Officio
Corporation Commissioner of
the State of Georgia

AFFIDAVIT

STATE OF MICHIGAN
RECORDED FOR RECORD
Aug 11 8 40 AM '88

STATE OF MICHIGAN)
)ss.
COUNTY OF KENT)

LIBER 137760806

William W. Hall, being first duly sworn, deposes and says as follows:

1. He is the attorney for Georgia-Pacific Corporation, a Michigan corporation ("GPC"), the successor by merger to The Kalamazoo Paper Company, a Michigan corporation ("KPC"), has personal knowledge of the facts set forth in this Affidavit, and has been duly authorized to make this Affidavit on behalf of GPC and KPC.

2. He has caused a certified copy of the Merger Certificate evidencing the aforementioned merger to be recorded herewith on this date in the Real Estate Records for Kalamazoo County, Michigan.

3. This Affidavit has been prepared and recorded to provide record notice that the property described on Exhibit A attached hereto is now titled in the name of GPC, by virtue of the merger of KPC into GPC.

FURTHER DEPONENT SAITH NOT.

WITNESSES:

Kathy L. Rinzema
Kathy L. Rinzema

William W. Hall
William W. Hall

Bonnie B. Schaub
Bonnie B. Schaub

Subscribed and sworn to before me, a Notary Public in and for said County, on this 19th day of July, 1988, by William W. Hall, who acknowledged the same to be his free act and deed.

Kathy L. Rinzema
Kathy L. Rinzema
Notary Public
KENT County, Michigan
My commission expires: 1/23/90

PREPARED BY:

William W. Hall, Esq.
WARNER, NICHOLSS & JUDD
905 Old Kent Building
Grand Rapids, Michigan 49503
Telephone: (616) 459-6121

EXHIBIT A

LIBER 137760807

Parcel A:

That part of the Northwest 1/4 of Section 24, Town 2 South, Range 11 West, the Northeast 1/4 of Section 23, Town 2 South, Range 11 West and the Southeast 1/4 of Section 14, Town 2 South, Range 11 West, lying Northerly of the North line of Highway M-96; Westerly of the River; Southerly of the Michigan Central Railroad and Westerly of the following described line:

Commencing on the Southerly line of the right-of-way of the Michigan Central Railroad at a point 489.9 feet South of a point 898.75 feet East of the Northwest corner of Section 24, Town 2 South, Range 11 West, thence South 9°38' West to a point on the Northerly bank of the North channel of the Kalamazoo River that is 1196.4 feet South of a point 780.25 feet East of the Northwest corner of said Section 24.

Parcel B:

Part of the South 1/2 of the Southeast 1/4, Section 14, Town 2 South, Range 11 West and of North 1/2 of the Northeast 1/2, Section 23, commencing on Southerly bank of Kalamazoo River 790 feet, East and 352 feet South of the North 1/4 post of said section, South 61°40' East 377 feet to bank of old channel of Kalamazoo River, said point being 1122 feet east and 531 feet South of said North 1/4 post of said section, Northerly along bank of old channel to bank of present channel of Kalamazoo River, Northerly, Westerly and Southerly along bank of Kalamazoo River to beginning.

Also, commencing at a point in the East and West quarter line of Section 23, Town 2 South, Range 11 West, 68 feet West of the East quarter post of said Section; thence on a curve left with a radius approximately 885 feet, 265 feet more or less, to a point 610 feet East of the center line of Schuster Avenue, and 30 feet North of the North line of Knapp Street, according to the Plat of Riverside; thence North 43°24' West to the intersection with the South right-of-way line of King Highway; thence North 85°49' West along the said South right-of-way line of King Highway 97.85 feet to an iron for the point of beginning; thence North 43°24' West to a point of intersection of the East line of Upjohn Avenue, according to the Plat of Riverside as extended Northerly; thence Northerly along the said East line of Upjohn Avenue, extended to the Westerly bank of the Kalamazoo River; thence upstream along the Southerly and Westerly bank of the Kalamazoo River and following the meander as now existing to a point on the South right-of-way line of King Highway; thence North 85°49' West along the said South right-of-way line of King Highway to the point of beginning;

Also, a parcel of land described as follows: Commencing on the South line of Section 14, Town 2 South, Range 11 West 719 feet East of the South quarter post of said Section; thence North 11°48' West 130 feet; thence North 11°48' West 120 feet to the West line of the M. & E. Railroad right-of-way to the corner of the corner of the corner; thence North 3°0' East 150 feet to the Southerly bank of the Kalamazoo River; thence upstream following the bank of said river to a point South 36°35' East 150 feet

from the place of beginning; thence North 36°35' West 150 feet to the place of beginning.

Also, that part of the North 1/2 of Section 23, Town 2 South, Range 11 West, City of Kalamazoo, Kalamazoo Township, Kalamazoo County, Michigan, described as: beginning at a point on the North line of King Highway, which is North 00°03'45" West a distance of 565.38 feet and South 85°49' East a distance of 930.31 feet from the intersection of the North and South 1/4 line of said Section 23 and the North line of Vine Street; thence South 85°49' East along the said North line of King Highway a distance of 251.98 feet to the Southwesterly line of former City Park, thence North 43°31'40" West along the said Southwesterly line of former City Park a distance of 1090.80 feet to the Easterly right-of-way line of the Chicago, Kalamazoo and Saginaw Railway, thence Southerly along a curve to the right on the said Easterly right-of-way line of the Chicago, Kalamazoo and Saginaw Railway a distance of 465.5 feet; thence continuing Southerly along a curve to the right on the said Easterly right-of-way line of the Chicago, Kalamazoo and Saginaw Railway (chord length 334.21 feet); thence South 50°37'30" East a distance of 133.43 feet to the point of beginning.

Parcel C:

That part of the Northeast 1/4 of Section 23, Town 2 South, Range 11 West and the Northwest 1/4 of Section 24, Town 2 South, Range 11 West lying South of the North line of Highway M-96, East of the East line of the Kalamazoo River, North of the South line of the Kalamazoo River and West of the East line of the "Old Channel" of the Kalamazoo River as lies East of what was known as "Gault Island".

Parcel D:

Lot "A", Field Addition, according to the plat thereof as recorded in Liber 7 of Plats, on Page 19, Kalamazoo County Records.

Parcel E:

Commencing at a point in the East and West 1/4 line of Section 24, Town 2 South, Range 11 West, 430.38 feet East of the center 1/4 east of said section (said point being the Southwest corner of the East 26 acres of the West 46 acres of the South fraction of the Southeast quarter of said Section 24); and running thence North 0° and 14' West along the West line of said East 26 acres of the West 46 acres and parallel to the North and South 1/4 line of said section, 320 feet for the place of beginning of the land hereafter described; thence East parallel to said East and West 1/4 line, 166 feet; thence South 0° and 14' East parallel to said East and West 1/4 line, 135 feet; thence East parallel to said East and West 1/4 line, 255.5 feet; thence North 0° and 14' West along the East line of said East 26 acres of the West 46 acres, 100 feet to the East line of the East 1/4 of the West 46 acres of said Section 24.

of the South fraction of the Northeast 1/4 of said section; thence North 0° and 39' West thereon 1,175.60 feet more or less to the Southerly bank of the Kalamazoo River; thence Westerly and Southwesterly along the Southerly bank of said River to a point 430.38 feet East of the North and South 1/4 line of said section (said point also being in the West line of the East 26 acres of the West 46 acres of the South fraction of the Northeast 1/4 of said section); thence South 0° and 14' East parallel to said North and South 1/4 line 854 feet more or less to the place of beginning.

Parcel I:

Beginning at a point on the East and West section line between Sections 14 and 23, 212 feet West of the section post; thence running North 168 feet; thence West 50 feet; thence South 168 feet to the Section line; thence East 50 feet to the place of beginning; all being in Section 14, Town 2 South, Range 11 West.

Parcel Y:

Commencing at the West one-quarter post of Section 24, Town 2 South, Range 11 West, and running thence North along the West line of said Section nine hundred twenty-five and fifteen hundredths (925.15) feet, thence North 46°57' East two hundred thirty-seven and twenty-two hundredths (237.22) feet for the place of beginning of this description, running thence North 22°41' West two hundred twenty-one and two tenths (221.2) feet, thence North 28°4' East one hundred forty-seven and eight tenths (147.8) feet; thence North 75°22' East two hundred thirty-six and four tenths (236.4) feet; thence South 64°26' East one hundred seventy-seven and fifteen hundredths (177.15) feet; thence South 31°54' East four hundred four and fifteen hundredths (404.15) feet; thence South 18°31' East three hundred fourteen and one tenth (314.1) feet; thence South 77°10' West one hundred five and nine tenths (105.9) feet; thence North 64°41' West four hundred seventy-three and seven tenths (473.7) feet; thence North 39°59' West one hundred fifty-eight and six tenths (158.6) feet to the place of beginning. Also, all the old channel of the Kalamazoo River which surrounded this former island. Including any and all interest in the old or new channel of said river which may have or hereafter shall accrue by reason of accretion or riparian ownership.

L 138
P 239
Island

